

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

<b>BPI ENERGY HOLDINGS, INC., et al.,</b>	)	
	)	
Plaintiffs,	)	
	)	
V.	)	Civil No. <b>07-186-DRH</b>
	)	
<b>IEC, LLC, et al.,</b>	)	
	)	
Defendants.	)	

**ORDER**

**PROUD, Magistrate Judge:**

Before the Court is the plaintiffs' motion for leave to file a third amended complaint to add an additional cause of action. **(Doc. 71)**. The defendants do not oppose the subject motion. **(Doc. 75)**.

**IT IS HEREBY ORDERED** that, after consultation with Chief U.S. District Judge David R. Herndon, the plaintiffs' motion to file a third amended complaint **(Doc. 71)** is **GRANTED**. On or before **February 22, 2008**, plaintiffs shall file the third amended complaint.

**IT IS FURTHER ORDERED** that the pending motion to dismiss directed to the second amended complaint **(Doc. 41)** is now **MOOT**.

**IT IS SO ORDERED.**

**DATED: February 19, 2008**

s/ Clifford J. Proud  
**CLIFFORD J. PROUD**  
**U. S. MAGISTRATE JUDGE**